



NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

Fiscal Analysis Memorandum

CONFIDENTIAL

Requestor: Senators Tillman, Hise, and Newton
Analyst(s): William Childs
RE: House Bill 593 (Version 2)

SUMMARY TABLE

FISCAL IMPACT OF H.B. 593, V.2 (\$ in millions)					
	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>	<u>FY 2024-25</u>
State Impact					
General Fund Revenue	1.4	2.8	2.8	2.8	2.8
Less Expenditures	1.4	2.8	2.8	2.8	2.8
General Fund Impact	-	-	-	-	-
NET STATE IMPACT	-	-	-	-	-

FISCAL IMPACT SUMMARY

The changes in Sections 10 and 11 will increase revenues by \$1.4 million in FY 2020-21 and \$2.8 million in FY 2021-22. These funds are appropriated to recipient agencies, leading to a corresponding increase in expenditures.

FISCAL ANALYSIS

Sections 1-9 address various Raise The Age policies and make conforming changes. Fiscal Research assumes that all related costs have been addressed in prior Raise The Age appropriations.

Criminal Court Cost Increase

Section 10 increases the appointment fee paid by indigent defendants from \$60 to \$75. The section also increases criminal court costs by \$2 and directs the additional revenue from that increase to the Office of Indigent Defense Services (IDS) for the use of the Private Assigned Counsel (PAC) Fund. These two changes are anticipated to generate \$1 million in FY 2020-21 and \$2 million in FY 2021-22. The fee revenue is appropriated to IDS, leading to a corresponding increase in expenditures.

The section also increases criminal court costs for the services, staffing, and operations of the Criminal Justice Education and Training Standards Commission (CJ Standards) in the Department of Justice from \$2 to \$3. This change is anticipated to generate \$383,000 in FY 2020-21 and

\$766,000 in FY 2021-22. The fee revenue is appropriated to CJ Standards, leading to a corresponding increase in expenditures.

These changes are effective December 1, 2020.

Radiological Emergency Planning

Section 11 amends G.S. 166A-29, which requires entities who are licensed to construct or operate certain fixed nuclear facilities to pay an annual \$36,000 fee to the Department of Public Safety for planning and implementing FEMA-required emergency response activities. Under the bill, the fee will be changed from a flat rate of \$36,000 to a rate of “at least \$36,000.”

For several years, the only entity that meets the fee criteria (i.e., Duke Energy) has maintained a Memorandum of Agreement (MOA) with the State to pay more than the minimum payment. Under the current MOA, Duke Energy pays approximately \$2.2 million annually to the State to be used for these emergency planning purposes. This provision is expected to have no fiscal impact because revenue has already been budgeted based on the existing MOA.

TECHNICAL CONSIDERATIONS

N/A.

DATA SOURCES

Administrative Office of the Courts; Dept. of Public Safety

FISCAL ANALYSIS MEMORANDUM – PURPOSE AND LIMITATIONS

This document is a fiscal analysis of a bill, draft bill, amendment, committee substitute, or conference committee report that is confidential under Chapter 120 of the General Statutes. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts. This document is not an official fiscal note. If a formal fiscal note is requested, please email your request to the Fiscal Research Division at FiscalNoteRequests@ncleg.net or call (919) 733-4910.

